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Australia

Food and Agricultural Import Regulations and Standards

Nutrition & Health Claims Draft Standard Released for Comment

2005

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Report Highlights:

Food Standards Australia New Zealand has recently released the first draft of its proposed new standard for Nutrition, Health and Related Claims for public comment.

Submissions should be made to FSANZ by COB (Canberra time), February 22, 2006.

Includes PSD Changes: No
Includes Trade Matrix: No
Unscheduled Report
Canberra [AS1]
[AS]

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Introduction

Food Standards Australia New Zealand (FSANZ) is developing a new food standard for nutrition, health and related claims - that is, claims about foods and their nutritional or health benefits. Nutrition content claims are currently regulated by the Australia New Zealand Food Standards Code and trade practices law and, in Australia, managed by a voluntary industry code of practice. At present, the use of health claims on food labels is prohibited, except by specific approval. This approach is seen as a constraint to innovation by industry, leading to limitations on consumer choice. The proposed food standard will address these constraints and reduce ambiguity in enforcement.

Any comments on this proposal must be received by FSANZ by February 22, 2006 (see below for further details).

Proposed New Measures

Statements, information or other references to nutrients, nutrition, diet or health on food labels or in associated advertising must comply with new provisions in the Australia New Zealand Food Standards Code. Education materials will support the standard.

The proposed new measures identify two levels of claim – general level claims and high-level health claims.

- General level claims include: *content claims* – describing what's in the food (e.g. the presence of a nutrient, vitamin or other substance); and *general level health claims* – describing the function of a nutrient, vitamin, mineral or other substance in relation to a health effect. These claims do not refer to serious disease or biomarkers of serious disease.
- High-level health claims – describe the function of a nutrient, vitamin, mineral or other substance in relation to a serious disease (e.g. heart disease) or a biomarker of a serious disease (e.g. blood pressure).

Manufacturers must ensure that claims are truthful and supported by adequate scientific evidence. High-level health claims must undergo pre-market assessment and approval, managed by FSANZ. General level health claims do not need pre-market assessment and approval, but manufacturers must hold the necessary evidence for possible review by enforcement agencies.

Foods carrying claims must contain enough of the nutrient, vitamin, mineral or substance to contribute to the claimed effect. Also, FSANZ is proposing limits for certain risk-increasing nutrients, such as salt, saturated fats and sugars in the types of foods that may carry the claims.

FSANZ proposes consolidating existing references to nutrition and health claims in the Code into this food standard to assist industry, government, consumers and public health groups with legal interpretations.

Existing endorsement programs will be pre-approved, providing they are consistent with the nutrition policy and principles of the respective national governments and managed by an independent, non-profit organization. Future endorsements will be managed within the new framework. Cause-related marketing statements will be excluded from the standard because they serve a different purpose to nutrition and health claims. FSANZ will require an

appropriate disclaimer if an organization's name is related to a serious disease to avoid confusion.

General dietary advice provided to consumers lies outside the scope of the standard. The standard will continue to prohibit health claims on alcohol and infant formulas.

To give industry time to make the required changes to labeling, and to alert consumers to the new rules, a 24-month transition period for implementation after the standard becomes law will be recommended.

Further Information and Comments

Full details of the proposed standard are available on the [FSANZ website \(www.foodstandards.gov.au\)](http://www.foodstandards.gov.au). Comments on this proposed standard may be submitted by any interested party and must be received by FSANZ by COB (Canberra time), February 22, 2006. Details on how to submit comments are also available [on the FSANZ website](http://www.foodstandards.gov.au).

The [Policy Guideline](#) on Nutrition, Health and Related Claims provided by the Australia New Zealand Food Regulatory Ministerial Council in 2003 sets out the policy principles underpinning the regulation of nutrition, health and related claims and is the basis upon which this proposed standard was built.

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AS5024	Agricultural Biotechnology Report	07/05/2005
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